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ID

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/928,074 09/11/97 FISH

F 07256-024001

EXAMINER

HM12/0212

FUESS AND DAVIDENAS
10951 SORRENTO VALLEY ROAD
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SAN DIEGO CA 92121

HAYES, R

ART UNIT

PAPER NUMBER

1647

19

DATE MAILED:

02/12/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The reply filed on 11/18/00 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Sequence "LIX₁NNX₂TX₃X₄X₃X₁X₁ (SEQ ID NO:25)" on page 11 remains new matter to the specification, and has not been addressed in this response (see pp #2 of Paper #14). In other words, to amend the specification "on page 10, lines 11 and 12, please delete [R]" makes no sense. Instead, "LIRX₁NNX₂TX₃X₄X₃X₁X₁" should be the correct recitation on page 11 of the specification, which further requires recitation of its own correct SEQ ID NO, in order to be in compliance with the SEQUENCE RULES and to avoid abandonment of this application (see Paper #s 10 & 12). Additionally, claim 4 has not been properly amended, if this claim is now intended to be dependent on "claim 3", versus claim 1. Bracketing or underlining must be used to indicate amendments or changes in the claims as provided in 37CFR1.121(a)(2ii). Again, 37 CFR 1.821 (a)(2)(c-d) states that each sequence disclosed must appear *separately in the "Sequence listing" and in the text of the description* and claims. See MPEP 2431.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Robert Hayes whose telephone number is (703) 305-3132. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Kunz, can be reached on (703) 308-4623. The fax phone number for this Group is (703) 308-4242.

Robert C. Hayes, Ph.D.
February 7, 2001

Gary L. Kunz
GARY L. KUNZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600